

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

AMGEN INC.,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civ. No. 16-853-MSG
	:	CONSOLIDATED
AMNEAL PHARMACEUTICALS LLC,	:	
et al.,	:	
	:	
Defendants.	:	

MEMORANDUM ORDER

On March 24 and 25, 2021, I held a two-day bench trial to determine the amount of damages, if any, Defendant Piramal Healthcare UK Ltd. (“Piramal”) and Intervenor Slate Run Pharmaceuticals, LLC (“Slate Run”) should be awarded for wrongful injunction.

Currently pending before the Court is Plaintiff Amgen Inc’s Motion to Exclude Piramal and Slate Run’s Reliance on Opinion of Counsel Theory. (D.I. 646).

Piramal and Slate Run, however, did not present this theory at trial or rely on it in their post-trial briefs. (See D.I. 663, D.I. 665, D.I. 666, D.I. 667, D.I. 668). In addition, I did not rely on an opinion of counsel theory in rendering my trial opinion. (*See* D.I. 707).

NOW, at Wilmington this 5th day of October, 2021, it is **HEREBY ORDERED** that Amgen’s Motion to Exclude Piramal and Slate Run’s Reliance on Opinion of Counsel Theory (D.I. 646) is **DENIED** as moot.

BY THE COURT:

/s/ Mitchell S. Goldberg
MITCHELL S. GOLDBERG, J.